

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

STEVEN DONZIGER,

Defendant.

No. 19-CR-561 (LAP)

No. 11-CV-691 (LAK)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of Defendant Steven Donziger's letter regarding various access measures for his trial beginning on May 10, 2021. (See dkt. no. 251.) In response to Mr. Donziger's requests:

- The Court has requested access to a larger courtroom for Mr. Donziger's trial. The availability of such a courtroom will depend on what other proceedings, in particular, jury trials, are scheduled. Once a courtroom is designated, the Court will enter an order with the relevant information.
- The Court will provide one or more overflow rooms from which to observe the proceedings. Once an overflow room is designated, the Court will enter an order with the relevant information.
- In addition to space in the overflow room(s), members of the press may also sit in a distanced manner in the jury box to ensure that more seats are available to the public. Some seating in the main and overflow courtrooms will be reserved for members of the press.

Consistent with the Federal Rules of Criminal Procedure, the Court will not provide remote audio-visual access to the

proceedings.¹ Subject to the COVID-19 protocols in place at the time of Mr. Donziger's trial,² any interested member of the public may attend the trial in person.

SO ORDERED.

Dated: April 6, 2021
New York, New York



LORETTA A. PRESKA
Senior United States District Judge

¹ See FED. R. CRIM. P. 53 ("Except as otherwise provided by a statute or these rules, the court must not permit the taking of photographs in the courtroom during judicial proceedings or the broadcasting of judicial proceedings from the courtroom."). The Court observes that the CARES Act authorizes the use of remote video teleconferencing for some criminal proceedings. See Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, § 15002(b), 134 Stat 281, 528 (2020). Notably absent from the list of proceedings for which using such technology is authorized, however, are trial proceedings.

² The Court's most up-to-date protocols are available online at <https://nysd.uscourts.gov/covid-19-coronavirus>.